



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/524,772

02/16/2005

Alain Deblock

0501-1122

3402

466 7590 10/10/2008

YOUNG & THOMPSON
209 Madison Street
Suite 500
ALEXANDRIA, VA 22314

EXAMINER

YOUSEFI, SHAHROUZ

ART UNIT

PAPER NUMBER

2432

MAIL DATE

DELIVERY MODE

10/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/524,772 | Applicant(s) DEBLOCK ET AL. | |
| | Examiner SHAHROUZ YOUSEFI | Art Unit 2432 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/15/2008 and 05/16/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 28, 31-43 are objected to because of the following informalities: If Applicant intends to use "means for" limitations instead of "means at", then appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-43 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Pickett (US 6,012,144) in view of Nagel et al. (US 7,181,017) hereinafter Nagel.
4. With respect to claim 1, Pickett discloses a method for secure and automated transmission of confidential information, in particular an identification code, to an authenticating organization (method and apparatus for transmitting sensitive data to a remote data store, col. 2, lines 48-49) during a transaction with a user according to which a first part of the confidential information is sent to the authenticating organization over a first network (sending a first subset of data, which by itself is non-threatening, to the remote data store by means of a first communications path using a first protocol, col. 2, lines 50-53), characterized in that it comprises a stage according to which the user sends the second part of the confidential information, complementary to the first part, to a neutral intermediary over a second network (sending a second subset of data,

Art Unit: 2132

which is also by itself non-threatening, to the remote data store by means of a second communications path using a second, different protocol, col. lines 53-56) disjointed from the first network (the separate pieces are transmitted over two separate technologies, col. 3, lines 9-10), then sending to the authenticating organization, over a third network (300), the complementary part of the confidential information which it has received (fig 1, item 40 sliced database send the 2 subset of data to credit card company 65).

5. Pickett does not teach the neutral intermediary. However, Nagel discloses the neutral intermediary see fig. 1, intermediary, item 10. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

6. With respect to claim 2, Pickett discloses that the two complementary parts are entered on disjointed terminals (the separate pieces are transmitted over two separate technologies, col. 3, lines 9-10).

7. With respect to claim 3, Pickett discloses transmission of the first part of the confidential information to the authenticating organization is carried out directly between the user and said organization over the first network (sending a first subset of data ... to the remote data store by means of a first communications path using a first protocol, col. 2, lines 50-53).

8. With respect to claim 4, Pickett discloses the user sends the first part of the confidential information to a supplier of goods or services over the first network

Art Unit: 2132

(sending a first subset of data ... to the remote data store by means of a first communications path using a first protocol, col. 2, lines 50-53); the supplier then sends the first part to the organization over a third network (fig 1, item 40 sliced database send the 2 subset of data to credit card company 65).

9. With respect to claim 5, Nagel discloses at least one session identifier, shared between at least two of the parties to the transaction, allow the authenticating organization to reconstitute automatically the confidential information which the user sends to it (a personally identifying digital signature may be substituted by the intermediary with an anonymous transaction or session identifier, col. 9, lines 22-24). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with session identifier of Nagel to have a high security authentication mechanism and prevent replay attacks.

10. With respect to claim 6, Nagel discloses each session identifier is generated by at least one of the parties (1, 2, 3, 4) to the transaction (a personally identifying digital signature may be substituted by the intermediary with an anonymous transaction or session identifier, col. 9, lines 22-24). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with session identifier of Nagel to have a high security authentication mechanism and prevent replay attacks.

11. With respect to claim 7, Nagel discloses coordinates for calling back the user over the second network are sent to the neutral intermediary by the authenticating organization (3) over the third network (fig. 1, user 20 -authentication - intermediary

Art Unit: 2132

110). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

12. With respect to claim 8, Nagel discloses coordinates for calling back the user over the second network are sent to the neutral intermediary by the supplier of goods or services over the third network (fig. 1, user 20 - authentication - intermediary 110). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

13. With respect to claim 9, Nagel discloses the communication over the first network between the user and the authenticating organization or the supplier of goods or services is transferred automatically to the neutral intermediary for the transaction (fig. 1, user 20, intermediary 10, Cert. authority 40). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

14. With respect to claim 10, Nagel discloses coordinates for calling back the user over the second network are sent to the neutral intermediary by the user over the first network (100) (fig. 1, user 20, intermediary 10, Cert. authority 40). It would have been

Art Unit: 2132

obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

15. With respect to claim 11, Nagel discloses the neutral intermediary contacts the user automatically over the second network to retrieve the second complementary part of the confidential information (fig. 1, user 20, intermediary 10, Cert. authority 40). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

16. With respect to claim 12, Nagel discloses the user contacts the neutral intermediary over the network to send the second complementary part of the confidential information, associated with a session identifier (fig. 1, user 20, intermediary 10). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

17. With respect to claim 13, Pickett discloses the third network is a secure point to point network (fig. 1 Http server and sliced database 40, credit card company 65).

18. With respect to claim 14, Nagel discloses the neutral intermediary requests the user to provide, in addition to the confidential information to be sent to the organization,

Art Unit: 2132

a personal code which allows the user to be identified (This identification may be based on a Public Key Infrastructure, biometric identifiers, passwords and/or personal identification numbers (PIN), col. 20, lines 61-63). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

19. With respect to claim 15, Nagel discloses the personal code is sent, via a secure point to point network, to a second authenticating organization with which the user has previously registered or to which the user is known (the user 20 typically authenticates itself with the intermediary 10 ... personal identification numbers (PINs) and passwords... col. 21, lines 22-65). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with personal code of Nagel to control the unauthorized use of the system and unauthorized access to the resource, col. 75, lines 61-63).

20. With respect to claim 16, Nagel discloses the personal code is a digital or voice code entered on a connected terminal (This identification may be based on a Public Key Infrastructure, biometric identifiers, passwords and/or personal identification numbers (PIN), col. 20, lines 61-63). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with personal code of Nagel to control the unauthorized use of the system and unauthorized access to the resource, col. 75, lines 61-63).

Art Unit: 2132

21. With respect to claim 17, Nagel discloses the user is automatically guided by the neutral intermediary through the various stages of the method for sending the second part of the confidential information over the first and/or second network respectively, in a coordinated and optionally synchronized manner (see fig. 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to enable user follow the required steps).

22. With respect to claim 18, Nagel discloses the user is automatically guided by the various parties to the transaction through the various information exchange stages over the first and/or second networks respectively, in a coordinated and optionally synchronized manner (see fig. 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to enable user follow the required steps).

23. With respect to claim 19, Nagel discloses the neutral intermediary and/or the organization store(s) the coordinates of user in an uncoded or reversibly encrypted manner (The Intermediary 10 does not normally hold encrypted information records for two reason col. 21, lines 42-43). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel because this might compromise the security of the stored data, see col. 21, lines 40-65).

24. With respect to claim 20, Nagel discloses the neutral intermediary and/or the organization store(s) in an uncoded or reversible encrypted manner the second complementary part of the confidential information supplied by the user over the network (The Intermediary 10 does not normally hold encrypted information records for

Art Unit: 2132

two reason col. 21, lines 42-43). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel because this might compromise the security of the stored data, see col. 21, lines 40-65).

25. With respect to claim 21, Nagel discloses the neutral intermediary and/or the organization store(s) the personal code sent by the user in an uncoded or reversible manner (The Intermediary 10 does not normally hold encrypted information records for two reason col. 21, lines 42-43). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel because this might compromise the security of the stored data, see col. 21, lines 40-65).

26. With respect to claim 22, Nagel discloses the neutral intermediary and/or the organization establish a transaction log (fig. 1, transaction log 12). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to record each transactions, which may be used for auditing, reconciliation, verification, trend analysis, or other purposes, col. 20, lines 50-66).

27. With respect to claim 23, Nagel discloses the log established by the neutral intermediary and/or the organization is anonymous (This log potentially allows subsequent aspects of a transaction to be anonymous, with the identifier of the User 20, col. 20, lines 53-54). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to allow subsequent aspects of a transaction to by anonymous, col. 20, lines 53-54).

28. With respect to claim 24, Nagel discloses the anonymity of the log is ensured by a non-decipherable coding of a combination of the coordinates of the user sent over the

Art Unit: 2132

second network and of the second part of the confidential information sent by the user to the neutral intermediary over the second network (it is possible to permit anonymity of one part, for example a sender of a message, by employing anonymous cryptographic protocols, such as a employed in micropayment technology, col. 30, lines 11-14). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to allow subsequent aspects of a transaction to be anonymous, col. 20, lines 53-54).

29. With respect to claim 25, Nagel discloses the personal code is stored, optionally in combination with the coordinates of the user on the network by means of an undecipherable coding (see fig. 4a). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel because this might compromise the security of the stored data, see col. 21, lines 40-65).

30. With respect to claim 26, Nagel discloses the neutral intermediary sends an advice linked to the transaction log of the user over the network (fig. 1, intermediary 10, transaction log 12). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to record each transactions, which may be used for auditing, reconciliation, verification, trend analysis, or other purposes, col. 20, lines 50-66).

31. With respect to claim 27, Nagel discloses the neutral intermediary contacts the user again after the latter has disconnected from the first network, said connection to the first network being re-established once the second part of the confidential

Art Unit: 2132

information has been sent to the neutral intermediary (see fig. 5). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to keep the network disjointed.

32. With respect to claim 30, Pickett discloses the first and second networks use different communication technologies and protocols (the separate pieces are transmitted over two separate technologies, col. 3, lines 9-10).

33. With respect to claim 31, Pickett discloses the entry means on the first network are independent of the entry means on the second network (the storage mechanism involves "slicing" the database into two halves that have similar properties to the messages used to transmit the data, col. 4, lines 22-25).

34. With respect to claim 32, Nagel discloses the authenticating organization, the neutral intermediary and/or the supplier of goods or services comprise means capable of generating or managing at least one session identifier for exchanging and/or retrieving information concerning the transaction and allowing the authenticating organization to reconstitute the confidential information sent by the user via the entry means over the first and second networks (a personally identifying digital signature may be substituted by the intermediary with an anonymous transaction or session identifier, col. 9, lines 22-24). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to enable exchange of data and information between different networks.

35. With respect to claim 33, Nagel discloses the neutral intermediary comprises means capable of automatically contacting the entry means of the user over the second

Art Unit: 2132

network so that the user sends the second part of the confidential code (fig. 1, Intermediary 10, User 20). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to enable user follow the required steps).

36. With respect to claim 34, Nagel discloses the neutral intermediary comprises means capable of generating digital fingerprints or unidirectional encryption (a generated digital fingerprint associated with the digital information to a digital fingerprint previously generated which is unique to the requesting computer system, col. 41, 22-24). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to identify data and associated user and networks).

37. With respect to claim, 35, Nagel discloses the supplier of goods or services comprises means capable of transferring the communication over the first network between the means of entry at the location of the user connected to server-forming means at the supplier to server-forming means at the neutral intermediary, thus automatically connecting the user to the neutral intermediary and thus enabling the two parties to interact (see fig. 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to enable the different networks communicate with each other.

38. With respect to claim 36, Nagel discloses the supplier of goods or services, the authenticating organization and the neutral intermediary comprise means allowing the transmission of secure point to point data over a third network (secure transmission is

Art Unit: 2132

relatively easy to perform using modern computing architectures, col. 13, lines 64-65). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to prevent disclosure of information and data.

39. With respect to claim 37, Nagel discloses the neutral intermediary has means enabling it to coordinate and/or synchronize messages over the networks (see fig. 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to enable communication prevent disclosure of information and data.

40. With respect to claim 38, Nagel discloses the neutral intermediary and/or the authenticating organization comprise(s) means capable of storing information supplied by the user and system utilization statistics (see fig. 1, Data repository 30). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to store information related to user and system.

41. With respect to claim 39, Nagel discloses the neutral intermediary comprises means capable of voice recognition and/or voice synthesis (col. 76, lines 40-41, selection of a voice recognition data base). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to have more way of inputting data in to system and network.

42. With respect to claim 40, Nagel discloses the user comprises means capable of automatically contacting the server-forming means of the neutral intermediary over the second network in order to send the second part of the confidential code (see fig. 1). It

Art Unit: 2132

would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

43. With respect to claim 41, Nagel discloses the neutral intermediary comprises means capable of being contacted by the user over the second network to enable the transmission of the second part of the confidential information (see fig. 1, 2 and 3). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

44. With respect to claim 42, Nagel discloses the neutral intermediary and/or the organization comprise(s) means capable of identifying the user in a log using the confidential code sent during the transaction (fig. 1, transaction log 12). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with Nagel to record each transactions, which may be used for auditing, reconciliation, verification, trend analysis, or other purposes, col. 20, lines 50-66).

45. With respect to claim 43, Nagel discloses the authenticating organization also comprises the means of the neutral intermediary (see fig. 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Pickett with intermediary part of Nagel to perform requisite function with respect to the

Art Unit: 2132

transaction and reduce the risks and liability for unauthorized disclosure of private information (see col. 6, line 62 through col. 7, line 2).

46. Claims 28-29 differ from claims 1-2 only in that claims 1-2 are a method claim whereas, claims 28-29 are system claims. Thus, claims 28-29 are analyzed as previously discussed with respect to claims 1-2 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHAHROUZ YOUSEFI whose telephone number is (571) 270-3558. The examiner can normally be reached on Monday-Thursday 9:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

/S. Y./

Examiner, Art Unit 2432

/Gilberto Barron Jr/

Supervisory Patent Examiner, Art Unit 2432